

Minutes of Meeting  
State Soil Conservation Board  
Indiana Government Center, Conference Room 1  
402 W. Washington Street, Indianapolis, Indiana  
9:00 a.m., Tuesday, February 10, 2004

Present:

David L. Avery  
Ellsworth P. Christmas  
Paul J. Ehret  
Peter A. Hippensteel  
O. William Mann  
Travis E. Nolcox  
Ryan West

Absent:

Karen L. Dehne  
Garry Tom

Others present:

Ronald G. Birt  
Dorothy A. Corns  
Dean Farr  
James B. Farr  
Jane E. Hardisty  
Frank D. Hodges  
Harry S. Nikides  
Gale Peas  
James K. Ray

Chairman Peter Hippensteel called the meeting to order at 9:10 a.m. Ryan West introduced himself as newly appointed representative on the State Soil Conservation Board for the Commissioner of Agriculture's office. West is the executive director for the Indiana Commission on Agriculture and Rural Development.

Draft Minutes of January 6, 2004

David Avery moved to approve the draft minutes for the January 6, 2004, meeting. The motion was seconded by Bill Mann and carried.

Supervisor Resignations/Appointments

Division chief of land and water conservation Jim Ray presented the recommendation for new supervisor appointment of Albert Mayes, Vermillion. Mayes is a grain farmer and land application field manager. The recommendation for appointment was incorrectly presented at the November 13, 2003, State Board meeting. Mayes' recommendation is for a three-year term, commencing at the district's annual meeting.

Ellsworth Christmas moved to approve the recommendation for supervisor appointment of Albert Mayes for a three-year term commencing at Vermillion's annual meeting. The motion was seconded by Bill Mann and carried.

Ray presented the resignation of Scott Schutte (A-05, Marion) and recommendation for appointment of Marvin Brethauer to complete the unexpired term. Brethauer is a small grains farmer and manager of grounds at the Indianapolis International Airport.

Paul Ehret moved to accept the resignation of Scott Schutte and to approve the recommendation for appointment of Marvin Brethauer to complete the unexpired term in Marion. The motion was seconded by Travis Nolcox and carried.

Ray presented two recommendations for temporary supervisor appointment for districts that failed to meet the December 1 deadline for submitting the names of nominees for supervisor election. Johnson SWCD recommended Kevin Thompson, a grain and livestock farmer, to serve until the district's next annual meeting. St. Joseph SWCD recommended Paul Williams III, an agriculture equipment salesman, to serve until the district's next annual meeting.

Ellsworth Christmas moved to approve the recommendation for temporary appointment of Kevin Thompson until the next annual meeting in Johnson. The motion was seconded by David Avery and carried.

David Avery moved to approve the recommendation for temporary appointment of Paul Williams III until the next annual meeting in St. Joseph. The motion was seconded by Bill Mann and carried.

Ray presented the recommendations for appointment and temporary appointment of supervisors in Brown SWCD. Alice Lorenz, campground owner and operator, is recommended for temporary appointment until the district's next annual meeting. Kathy Kirk (A-06) has submitted her resignation from the appointed position in order to accept temporary appointment to the elected position previously held by Al Donaldson, whose term expired at the district's annual meeting. Chad Crimmins is recommended to complete Kirk's unexpired appointed term. The unusual switch of supervisor positions is due to Kirk meeting the ten-acre requirement to serve in the temporary appointment to an elected position, while Crimmins does not meet the acreage eligibility requirement.

David Avery moved to accept the resignation of Kathy Kirk and the recommendations for appointment and temporary appointment as presented for Alice Lorenz, Kathy Kirk, and Chad Crimmins in Brown. The motion was seconded by Ellsworth Christmas and carried.

### Clean Water Indiana

Division director Harry Nikides reported that he had spoken to staff in Rush, Newton, and Delaware SWCDs to discuss proposed changes in their CWI projects. Each of the districts' proposals was similar to projects previously approved for CWI funding, and the districts were given verbal approval to proceed in accordance with their respective proposals. Tipton SWCD submitted a proposal to increase incentive payable to landowners for abandoned water well closure from 50% to 100% and to use the remaining balance of funds for water quality education grants in two county school systems. Tipton SWCD also requested to extend the term of their CWI grant from December 31, 2003, until December 31, 2004. Policy specific to Tipton's proposal that

may be taken into consideration includes: 1) all previously approved projects have required a percentage of local match for implementation of conservation practices; 2) water quality education in schools is ineligible for funding, per criteria stated in IC 14-32-8, the legislation that established the CWI fund and its uses; and 3) all CWI projects were limited to only two years' eligibility for implementation. Nikides advised that, if CWI funds need to be returned, the money would be deposited to the CWI account for possible redistribution to districts, based on an application procedure similar to that previously used, or it could be added to the amount reserved from the CWI allocation for the state's CREP program match; the Board would need to set policy for use of the unexpended funds. Members discussed at length Tipton's original grant project and the changes currently proposed.

Travis Nolcox moved to deny the Tipton SWCD proposal for revised use of CWI funding, based on established policy for funding projects. The motion was seconded by Ellsworth Christmas and carried.

### Soil and Water Quality Programs

#### Education and SWCD Support:

Jim Ray reported that staff is finalizing plans for spring SWCD training meetings, tillage workshops, and chemical application workshops. A partnership task force is being formed to assist with district operations capabilities. Project WET and Hoosier Riverwatch staff are also gearing up for summer workshop activities.

#### Lake and River Enhancement:

Agriculture conservation specialist Frank Hodges presented the completion report for the Lake Lemon bathymetric study. The State Board granted \$12,700 to the Lake Lemon Conservancy District in July 2002. ReMetrix LLC carried out the study, with goals of: 1) developing an accurate bathymetric map and volume table of the lake; 2) evaluating the accuracy and usefulness of advanced hydroacoustic assessments for ecosystem management; and 3) providing information to support management plans for the watershed, aquatic vegetation, and sedimentation removal. The study compared current lake volume to levels at its 1953 construction and from a 1973 evaluation. Staff recommends acceptance of the study report and final payment of \$2,455.53 to the Lake Lemon Conservancy District. Hodges responded to questions concerning sediment build-up in the lake and topographic features of the watershed.

Paul Ehret moved to accept the Lake Lemon bathymetric study report and to approve final payment to the Lake Lemon Conservancy District. The motion was seconded by Bill Mann and carried.

#### Agricultural Assistance:

Jim Ray advised that agriculture conservation specialist Jennifer Bratthauar has announced her resignation, due to her family relocating to Pennsylvania. Cecil Rich has been hired as the Division's aquatic biologist and is scheduled to assume duties in late March. Rich has been working for the Alaska Department of Fish and Game. Kevin Lackman has been hired to fill the resource specialist position in Jasper/Porter/LaPorte.

#### Stormwater and Sediment Control:

Harry Nikides reported that stormwater and sediment control staff were currently involved in training for implementation of the revised Rule 5. The one-acre requirement for application of Rule 5 regulations became effective on November 26, 2003.

#### District Issues:

Chairman Hippensteel announced that the hearing on removal from office of Porter SWCD supervisors is scheduled for March 9, 2004, at 1:00 p.m., in the Government Conference Center. Hippensteel noted that the Attorney General's office has been working with the Porter supervisors, and stated that final decisions by the State Board need to be based upon facts of the case which will be presented at the March 9 hearing.

#### Chairman's Report

Pete Hippensteel reported that he has continued to receive numerous calls concerning LARE funding opportunities since sediment removal and exotic aquatic plant and animal control were added as eligible practices.

Hippensteel called attention the Indiana Lakes Management Society annual conference scheduled for April 2-3, 2004, at Pokagon State Park.

#### Division of Soil Conservation Director's Report

Harry Nikides noted that three State Soil Conservation Board members whose terms expired in July 2003 have received reappointments by the Governor through July 2007: Bill Mann, David Avery, and Karen Dehne. Karen Dehne had previously indicated her intention not to remain a member but may need to contact the Governor's office concerning the reappointment. The terms of Pete Hippensteel, Travis Nolcox, and Garry Tom are listed to expire in July 2004.

Nikides reported that he has been working with the State Association's District Outlook Committee concerning district program evaluations, based on an initiative of Pennsylvania soil conservation agencies.

The CREP agreement has been signed by Governor Kernan and forwarded to the Farm Services Agency for USDA signing. The CREP agreement establishes criteria for funding watershed land treatment actions in the Upper White, Tippecanoe, and Pigeon-Highland watersheds. The state's match is currently \$120,000, which was set aside from

the Clean Water Indiana program. Concern has been expressed for the limited amount of work that can be accomplished until more permanent state funding can be secured.

#### State Association President's Report

Executive director Dean Farr reported that the Association has signed a contract with IDEM for the EPA Section 319 grant that will allow the Association to hire a watershed information specialist position. Farr also reported on status of several legislative bills to create funding for conservation activities.

#### NRCS State Conservationist's Report

Jane Hardisty reported on the recent NACD annual conference and other conservation program meetings. Leadership from several state conservation agencies and organizations met to address the potential for creation of a state agriculture agency. Ten "listening sessions" are scheduled nationwide, including one in Indianapolis on February 18, to discuss issues related to the Conservation Security Program. Indiana will host the North Central Region RC&D conference at Pokagon State Park, March 21-23. NRCS will conduct an all employees' training March 30-April 1, the first such meeting it has held in several years. Hardisty called attention to staffing changes, including two pending retirements and five district conservationist positions to be hired in the near future, as well as reporting on funding allocations and other issues affecting program operations. J. Xavier Montoya will join Indiana's NRCS staff in a temporary leadership training appointment as deputy state conservationist. Montoya previously served in New Mexico and Washington, DC.

#### Public Comment

Farm Services Agency program specialist Ron Birt reported that the next CREP policy review meeting is scheduled for February 19 at the FSA state office.

#### Next Meeting

The next State Soil Conservation Board meeting will be held at 9:00 a.m., Tuesday, March 9, 2004, at Indianapolis.

David Avery moved to adjourn the meeting, seconded by Travis Nolcox. The meeting was adjourned at 10:40 a.m.

Minutes recorded by Dorothy Corns

Approved March 9, 2004: